



Reprinted  
February 13, 2001

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## HOUSE BILL No. 1140

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DIGEST OF HB 1140 (Updated February 12, 2001 3:23 PM - DI 73)

**Citations Affected:** Noncode.

**Synopsis:** Provides that notwithstanding any agreement entered into by the department of education and the Jay County School Corporation concerning the repayment of money that was advanced by the department to replace money intercepted by the treasurer of state in 2000, the school corporation is not required to make any repayments to the department until three years after the date the money was advanced. Specifies that beginning three years after the money was advanced, the outstanding balance of the amount advanced by the department of education to the school corporation shall be deducted in equal amounts over the following 24 months from the state tuition support distributions that the school corporation would otherwise be entitled to receive. Provides that these same provisions apply to North Miami Community Schools if money otherwise due to that school corporation is intercepted by the treasurer of state and if the department of education advances money to replace the money intercepted by the treasurer.

**Effective:** Upon passage.

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### Liggett

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January 9, 2001, read first time and referred to Committee on Ways and Means.  
February 8, 2001, amended, reported — Do Pass.  
February 12, 2001, read second time, amended, ordered engrossed.

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HB 1140—LS 6867/DI 73+



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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1140

A BILL FOR AN ACT concerning education finance.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this  
2       SECTION, "school corporation" refers to the Jay County School  
3       Corporation.

4       (b) Notwithstanding any agreement entered into by the school  
5       corporation and the department of education concerning the  
6       repayment of money advanced to the school corporation to replace  
7       money deducted by the treasurer of state under IC 20-5-4-10 in  
8       2000, the school corporation is not required after the effective date  
9       of this act to make any repayments to the department until three  
10      (3) years after the date the money was advanced.

11      (c) Notwithstanding any agreement described in subsection (b),  
12      beginning on the date that is three (3) years after the date the  
13      money was advanced, the outstanding balance of the money  
14      advanced by the department of education to the school corporation  
15      shall be deducted in equal amounts over the following twenty-four  
16      (24) months from the state tuition support distributions that the  
17      school corporation would otherwise be entitled to receive.

18      (d) Notwithstanding any provision of this SECTION, if the

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1 school corporation successfully recovers money, through litigation  
2 or otherwise, from Southern School Buildings, Inc., or from any  
3 other party that transacted business with Southern School  
4 Buildings, Inc., the school corporation shall, not more than thirty  
5 (30) days after recovering the money, use the money recovered to  
6 repay the money advanced by the department.

7 (e) This SECTION expires July 1, 2008.

8 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this  
9 SECTION, "school corporation" refers to North Miami  
10 Community Schools.

11 (b) If money is deducted by the treasurer of state under  
12 IC 20-5-4-10 from amounts that were to be distributed to the  
13 school corporation and if the department of education advances  
14 money to the school corporation to replace the money deducted by  
15 the treasurer of state, then notwithstanding any agreement entered  
16 into by the school corporation and the department of education  
17 concerning the repayment of the money advanced to the school  
18 corporation, the school corporation is not required after the  
19 effective date of this act to make any repayments to the department  
20 until three (3) years after the date the money is advanced.

21 (c) Notwithstanding any agreement described in subsection (b),  
22 beginning on the date that is three (3) years after the date any  
23 money is advanced, the outstanding balance of the money advanced  
24 by the department of education to the school corporation shall be  
25 deducted in equal amounts over the following twenty-four (24)  
26 months from the state tuition support distributions that the school  
27 corporation would otherwise be entitled to receive.

28 (d) Notwithstanding any provision of this SECTION, if the  
29 school corporation successfully recovers money, through litigation  
30 or otherwise, from Center School Buildings, Inc., or from any  
31 other party that transacted business with Center School Buildings,  
32 Inc., the school corporation shall, not more than thirty (30) days  
33 after recovering the money, use the money recovered to repay any  
34 money advanced by the department.

35 (e) This SECTION expires July 1, 2008.

36 SECTION 3. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1140, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning education finance.

Page 1, line 1, delete "[EFFECTIVE JULY 1, 2001]" and insert "[EFFECTIVE UPON PASSAGE]".

Page 1, line 1, delete "There is" and insert "**As used in this SECTION, "school corporation" refers to the Jay County School Corporation.**

**(b) Notwithstanding any agreement entered into by the school corporation and the department of education concerning the repayment of money advanced to the school corporation to replace money deducted by the treasurer of state under IC 20-5-4-10 in 2000, the school corporation is not required after the effective date of this act to make any repayments to the department until three (3) years after the date the money was advanced.**

**(c) Notwithstanding any agreement described in subsection (b), beginning on the date that is three (3) years after the date the money was advanced, the outstanding balance of the money advanced by the department of education to the school corporation shall be deducted in equal amounts over the following twenty-four (24) months from the state tuition support distributions that the school corporation would otherwise be entitled to receive.**

**(d) Notwithstanding any provision of this SECTION, if the school corporation successfully recovers money, through litigation or otherwise, from Southern School Buildings, Inc., or from any other party that transacted business with Southern School Buildings, Inc., the school corporation shall, not more than thirty (30) days after recovering the money, use the money recovered to repay the money advanced by the department.**

**(e) This SECTION expires July 1, 2008.**

**SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "school corporation" refers to North Miami Community Schools.**

**(b) If money is deducted by the treasurer of state under IC 20-5-4-10 from amounts that were to be distributed to the school corporation and if the department of education advances money to the school corporation to replace the money deducted by the treasurer of state, then notwithstanding any agreement entered**

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into by the school corporation and the department of education concerning the repayment of the money advanced to the school corporation, the school corporation is not required after the effective date of this act to make any repayments to the department until three (3) years after the date the money is advanced.

(c) Notwithstanding any agreement described in subsection (b), beginning on the date that is three (3) years after the date any money is advanced, the outstanding balance of the money advanced by the department of education to the school corporation shall be deducted in equal amounts over the following twenty-four (24) months from the state tuition support distributions that the school corporation would otherwise be entitled to receive.

(d) Notwithstanding any provision of this SECTION, if the school corporation successfully recovers money, through litigation or otherwise, from Southern School Buildings, Inc., or from any other party that transacted business with Southern School Buildings, Inc., the school corporation shall, not more than thirty (30) days after recovering the money, use the money recovered to repay any money advanced by the department.

(e) This SECTION expires July 1, 2008.

SECTION 3. An emergency is declared for this act."

Page 1, delete lines 2 through 17.

Delete page 2.

and when so amended that said bill do pass.

(Reference is to HB 1140 as introduced.)

BAUER, Chair

Committee Vote: yeas 22, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1140 be amended to read as follows:

Page 2, line 30, delete "Southern" and insert "**Center**".

Page 2, line 31, delete "Southern" and insert "**Center**".

(Reference is to HB 1140 as printed February 9, 2001.)

FRIEND

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